STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE **DEPARTMENT OF HUMAN SERVICES**

IN THE MATTER OF:

IN THE WATTER OF.				
	Reg. No.: Issue No.: Case No.: Hearing Date: County DHS:	201328847 3000		
ADMINISTRATIVE LAW JUDGE: Kevin Scully				
SETTLEMENT ORDER				

This matter is before the undersigned Admini strative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claim ant's request for a hearing. After due notice, a telephone hearing was held on from Participant s on behalf of Claimant inclu ded and Participant s on behalf of the Department es (Depar tment) included of Human Servic

ISSUE

Whether the Department properly:	
□ denied Claimant's application for benefits □ closed Claimant's case for benefits □ reduced Claimant's benefits	
for:	
☐ Family Independence Program (FIP)? ☐ Food Assistance Program (FAP)? ☐ Medical Assistance (MA)? ☐ Adult Medical Assistance (AMP)?	☐ State Disability Assistance (SDA)? ☐ Child Development and Care (CDC)? ☐ State Emergency Services (SER)?

FINDINGS OF FACT

The Administrative Law Judge, based upon t he competent, material, and substantial evidence on the whole record, finds as material fact:

1.	On the Department:
	 ☑ denied Claimant's application for benefits ☐ closed Claimant's case for benefits ☐ reduced Claimant's benefits
	under the following program(s):
	☐ FIP ☑ FAP ☐ MA ☐ AMP ☐ SDA ☐ CDC ☐ SER.
2.	On the Department s ent notice to Claimant (or Claimant's Authorized Hearing Representative) of the:
3.	On, Claim ant fil ed a request for hearing concerning the Department's action.
	CONCLUSIONS OF LAW
Eligib	artment policies are found in the Bridges Administrative Manual (BAM), the Bridges bility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency f Manual (ERM).
Resp 42 US Agen throu	ne Family Independence Program (FIP) was established pursuant to the Personal consibility and W ork Opportunity Reconciliation Act of 1996, Public Law 104-193, SC 601, et seq. The Department (formerly known as the Family Independence scy) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 400.3101 gh Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program tive October 1, 1996.
progr imple Regu Agen	ne Food Assistanc e Program (FAP) [form erly known as the Food Stamp (FS) ram] is establis hed by the Food St amp Act of 1977, as amend ed, and is emented by the federal regulations contained in Title 7 of the Code of Federal plations (CFR). The Department (formerly known as the Family Independence edgy) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 3001 through Rule 400.3015.
Secu The I	ne Medical Ass istance (MA) program is es tablished by the Title XIX of the Soc ial rity Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). Department of Human Services (formerly known as the Family Independ ence cy) administers the MA program pursuant to MCL 400.10, et seq., and MC L 105.

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☐ The Adult Medical Program (AMP) is	established by 42 USC 1315, and is
administered by the Department pursuant t	o MCL 400.10, <i>et seq</i> .

The law pr ovides that disposition may be made of a contest ed case by s tipulation or agreed settlement. MCL 24.278(2).

In the present case, Claimant requested a hearing to dispute the Department's action. Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: Continue to process a help—desk ticket and issue a FAP supplement for

As a result of this settlement, Claimant no longer wish es to proceed with the hearing. As such, it is unnec essary for this Admi nistrative Law Judge to render a decis ion regarding the facts and issues in this case.

DECISION AND ORDER

The Administrative Law Judge concludes that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

- 1. Continue to process a help des k ticket to ensure the Claimant receives a Food Assistance Program (FAP) supplement for the benefits she was eligible to receive in
- 2. Issue the Claimant any retroactive benefits she may be eligible to receive, if any.

/s/

Kevin Scully
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 03/20/2013

Date Mailed: <u>03/20/2013</u>

NOTICE: Michigan Administrative Hearing System (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order. MAHS will not or der a rehearing or reconsideration on the Department's mo tion where the final decis ion cannot be implemented within 90 days of the filing of the original request. (60 days for FAP cases)

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt of the Decision and Order or, if a ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing <u>MAY</u> be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical e rror, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at

Michigan Administrative hearings
Recons ideration/Rehearing Request
P. O. Box 30639
Lansing, Michigan 48909-07322

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